

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	16 November 1999
Name of applicant/court:	The District Court at Auckland
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Fem 32b
Other Known Titles:	Photos\Fem\Fem 32b
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Fem 32b* is classified as:
Objectionable.

The JPEG computer image file is one of a total 280 computer image files stored on a Jaz disk and submitted together. The file contains one full colour photograph. The image depicts a girl in her early to mid teens. She is naked but for a pair of underpants which she is in the process of removing. A pile of clothes and a pair of shoes lie on the ground in front of her.

The computer image file is classified as objectionable due to the extent to which, and the manner in which, the image exploits the nudity of young persons. Given the characteristics of the publication, the Classification Office considers that the main purpose of the image file is the titillation or sexual arousal of adults with a prurient interest in children.

The image has artistic merit being a professionally executed photograph, possibly derived from the published work of a professional photographer. In its present format, however, information such as the identification of the artist or his/her intent in producing the image, does not allow for any context within which to read the image other than the disk on which the image appears.

The JPEG image file format has significant implications for the intended or likely use of the publication. This digitised format allows for high quality reproduction of photographic images. The format facilitates proliferation and wide distribution of the image nationally and internationally among similarly oriented individuals, by private, electronic transmission to suitably equipped and networked computers.

Referring to the New Zealand Bill of Rights Act 1990, the limit on the freedom of expression resulting from this classification is reasonable and demonstrably justified, given the objective of preventing harm to the public. A less restrictive classification, such as making the publication available only to adults, would not mitigate the exploitation of young persons' nudity for the apparent purpose of gratifying adult viewers who are titillated or stimulated by such images.

OFLC Ref: 9901186